REMARKS

Claims 1-9, 12, 14-21, and 23 are pending in the application. Claims 10, 13, 22, and 24 were previously cancelled. Claims 1, 12, 14, and 23 have been amended. No new matter has been added and the new claims are fully supported and justified by the specification. Support for the amendments appears in Applicants' specification at, for example, p. 13 lines 15-20.

Claims 1-9, 12, 14-21 and 23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Mashayekhi et al. (U.S. 2003/0074596; now U.S. Patent 6,910,150) in view of Umberger et al. (U.S. Patent 6,957,433), and further in view of Blumenau et al (U.S. 2004/0080558). The rejection is respectfully traversed.[1]

Applicants have amended independent claims 1 and 14 to further recite aspects of Applicants' approach for ensuring that write requests occur in the event of a write failure during a simultaneous-write migration process (i.e., a migration process in which write requests are handled by simultaneously writing to first and second servers). In Applicants' approach, a write failure to the target server (i.e., the claimed "second server") is handled in a simple and efficient way – by restarting the migration process for the resource having the write request issued to it. In this way, the simultaneous write to the source server (i.e., the claimed "first server") is leveraged. The affected resource is simply re-migrated, "ensur[ing] that the write request is propagated to the second server."

Blumenau does not disclose such an approach for handling target-server write failures. It instead discloses a much more involved and complicated recovery process that compares the source and target data with state information[2] (see paragraph 48, lines 2-5 and paragraph 49, lines 2-7). The state information includes information that tracks the state of each storage element in the system (e.g., a count which indicates a number of data operations performed on a particular storage location) (see paragraph 51) and is stored at a different location in the computer system, remote from the storage servers (see paragraph 68, lines 4-5). The state information is stored for use in the recovery process in the event of a write failure. Blumenau's

[1] In addition to the remarks given herein, applicants also respectfully submit that the Office Action has provided no motivation to combine Blumenau with Mashayekhi and Umberger. Applicants reserve the right to challenge the Examiner's 35 U.S.C. §103(a) rejection based on no motivation to combine these references should prosecution continue.

[2] Applicants direct the Examiner to see generally paragraphs 48 et seq.

recovery process copies the "good data" from the storage location where the write completed successfully to the other location based on the state information (see paragraph 48, lines 5-7 and paragraph 85, lines 9-12). The data in the location where the most recent write occurred relied upon as "good data," based on the state information is (see paragraph 48, lines 13-17 and paragraph 53, lines 5-12). Alternatively, Blumenau's recovery process invalidates data stored at both locations (see paragraph 48, lines 20-23 and paragraph 85, lines 9-11). This is entirely different from Applicants' simplified approach of restarting the migration process for the resource.

In view of the above amendments and remarks, Applicants believe the pending application is in condition for allowance. Reconsideration and allowance are respectfully requested.

Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-1945, under Order No. EQLC-P01-003 from which the undersigned is authorized to draw.

Dated: February 7, 2007

Respectfully submitted,

By_____

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